

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHRISTOPHER HOLLY,

Plaintiff,

v.

VISION FINANCIAL CORP.,

Defendant.

Case No. 09-cv-499-JPG

MEMORANDUM & ORDER

This matter comes before the Court on the Plaintiff Christopher Holly's ("Holly") Notice of Voluntary Dismissal (Doc. 12). Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff has an absolute right to dismiss an action without a court order at any time before service by an adverse party of an answer or of a motion for summary judgment, whichever first occurs. Defendant Vision Financial Corp. ("Vision") has not yet filed an answer or motion for summary judgment in this case. The Court therefore finds that all claims of Holly against Vision are **DISMISSED with prejudice**. The Court **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: December 9, 2009

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE